

EXHIBIT B

CONFIDENTIAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

)
ANIBAL RODRIGUEZ, et al.,)
individually and on behalf of)
all others similarly situated,)
)
Plaintiffs,)
) Case No.:
vs.) 3:20-CV-04688
)
GOOGLE LLC, et al.,)
)
Defendant.)
-----)

** CONFIDENTIAL **

Videotaped Deposition of
ANIBAL RODRIGUEZ
(Conducted Remotely)
Sunday, October 16, 2022
12:03 p.m. EDT

Job No.: 5516994
Reported by: BRENDA MATZOV, CSR NO. 9243

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1	MR. LEE: So no --	14:00:00
2	BY MS. ARAKAKI:	14:00:00
3	Q. -- Mr. Rodriguez --	14:00:00
4	MR. LEE: -- representation from you?	14:00:00
5	No representation from you; is that right?	14:00:01
6	MS. ARAKAKI: This is my deposition.	14:00:04
7	I'm asking the questions here.	14:00:04
8	BY MS. ARAKAKI:	14:00:09
9	Q. Mr. Rodriguez, when you made the	14:00:09
10	decision last year to purchase an Android	14:00:11
11	phone, did you consider the allegations you	14:00:13
12	made in this case the year before?	14:00:16
13	A. Yes.	14:00:18
14	Q. Did you consider it in the purchase	14:00:18
15	decision you made?	14:00:24
16	A. Yes.	14:00:27
17	Q. How did it factor into your purchase	14:00:29
18	decision?	14:00:31
19	A. Well, what -- what -- why -- you know,	14:00:33
20	why I bought the -- the -- the device? Is that	14:00:37
21	what you said?	14:00:39
22	Q. How did the fact that you had -- no.	14:00:45
23	I'll rephrase.	14:00:46
24	How did the fact that you had made	14:00:47
25	allegations in July 2020 that Google -- to	14:00:50

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1 use your words -- was engaging in disturbing 14:00:52

2 conduct by collecting data while WAA is off 14:00:56

3 factor into your decision to purchase another 14:00:56

4 phone that used the Android software system? 14:01:00

5 A. Because, you know, being limited to 14:01:05

6 what I have as far as options. Again, I'm not 14:01:06

7 a rich person. I don't -- I don't have money 14:01:09

8 to buy certain phones. My provider had a great 14:01:11

9 deal and I had to do that. Sometimes I -- you 14:01:16

10 know, you have to go that route. I mean, that's 14:01:19

11 basically what it comes down to. I mean, that's -- 14:01:23

12 that's why I chose to do that. 14:01:25

13 But, again, WAA's off, it should not 14:01:29

14 be collecting data, you know. It -- it's plain 14:01:33

15 and simple. 14:01:37

16 And, again, we're -- we're -- we're 14:01:42

17 in this here. And as -- as far as what we're 14:01:43

18 investigating, I didn't want to change any of 14:01:51

19 my -- my -- my activities or -- or what I'm doing 14:01:53

20 if before -- if -- if we're in this investigation, 14:01:59

21 I needed to keep what I had. 14:02:01

22 So my phone still had same apps, still 14:02:04

23 have WAA off, and my -- my behaviors are still 14:02:08

24 the same. In order for this to continue, I want 14:02:11

25 to make sure that you know that I still have 14:02:15

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1 the same behaviors. 14:02:17

2 Q. Why did you think it was important 14:02:21

3 that you have the same behaviors during your 14:02:24

4 investigation? 14:02:26

5 A. Because we're -- we're in this 14:02:27

6 investigation. And if -- if everything is -- 14:02:28

7 you know, if -- if you are indeed taking 14:02:30

8 information from me without my permission, 14:02:34

9 we need to know. So my phone is still there, 14:02:36

10 the same way it was before -- before the 14:02:40

11 allegation and while we're in this deposition. 14:02:42

12 So why I have the same phone is so 14:02:45

13 that way we can figure out what's going on. 14:02:49

14 And, obviously, at the end of the day, we'll 14:02:52

15 figure out what -- what's really happening. 14:02:54

16 Q. How will you do that? 14:02:57

17 A. Well, you're -- we're -- we're doing 14:03:00

18 an investigation. We're in this lawsuit here. 14:03:01

19 And I have lawyers and other professionals that 14:03:04

20 are looking into that. 14:03:08

21 Q. Besides what your lawyers are doing, 14:03:13

22 do you have any knowledge about what is being 14:03:14

23 done to investigate your allegations? 14:03:17

24 MR. LEE: I think she's asking about 14:03:21

25 things beyond discussions you've had with counsel. 14:03:23

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1 If you can answer that, go ahead. But don't 14:03:25
2 reveal any discussions. You can -- you can -- 14:03:28
3 you can state that you had discussions with 14:03:29
4 counsel. But I don't want you to get into 14:03:34
5 any of the contents. Okay? 14:03:37
6 THE WITNESS: Right. 14:03:39
7 So can you repeat the question again? 14:03:39
8 BY MS. ARAKAKI: 14:03:41
9 Q. So you said several times that the 14:03:41
10 reason you couldn't change from an Android 14:03:43
11 phone is because you were in the middle of 14:03:46
12 an investigation in this case. 14:03:48
13 What are you doing to investigate 14:03:50
14 your allegations besides what you've discussed 14:03:52
15 with counsel or have learned from counsel? 14:03:55
16 A. What have I done? 14:04:00
17 Well, again, this -- there are other -- 14:04:01
18 there are other people involved. For instance, 14:04:05
19 professionals that are digging into this 14:04:08
20 information. As far as the details, I'm not 14:04:10
21 a tech guy, so I wouldn't know. But I'm trusting 14:04:12
22 that the people on my team are going to get to 14:04:16
23 the bottom of it. 14:04:20
24 Q. Besides your attorneys, who are you 14:04:20
25 referring to when you say professionals and 14:04:22

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1 people on your team? 14:04:24

2 A. Well, we have several different 14:04:25

3 people on the team that are looking into this. 14:04:28

4 My lawyers and I discussed it. And they advise 14:04:30

5 me of what information that we're -- 14:04:37

6 MR. LEE: All right. All right. 14:04:38

7 That's enough. That's enough. 14:04:38

8 BY MS. ARAKAKI: 14:04:41

9 Q. Without discussing what your lawyers 14:04:42

10 told you, you said there were several people 14:04:43

11 on your team. 14:04:45

12 Who are those people? Or do you 14:04:46

13 know if there's anyone besides your lawyers? 14:04:48

14 A. From discussing, my lawyers advise 14:04:52

15 that there are some professionals that are -- 14:04:52

16 are looking into what's being -- what information 14:04:54

17 is being taken and -- and look into -- basically, 14:04:58

18 delving a little bit deeper on the situation. 14:05:02

19 Q. Have you talked to anybody besides 14:05:08

20 your lawyers that are -- 14:05:11

21 A. No. 14:05:13

22 Q. -- supposedly on your team? 14:05:13

23 A. No. 14:05:15

24 Q. Once the case is over, if you lose 14:05:17

25 this case, will you stop using Android smartphones? 14:05:19

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1	A. If I lose?	14:05:27
2	I -- I -- well, I don't think we're	14:05:27
3	going to lose. But if -- if you guys are stealing	14:05:29
4	information without the permission of -- of your	14:05:34
5	users, which is what's going on, and it's being	14:05:38
6	allowed, I have to figure out something. I don't	14:05:44
7	know what I would do.	14:05:45
8	Q. You said the reason that you couldn't	14:05:49
9	stop or choose to use a different phone besides	14:05:51
10	an Android phone is because you're investigating.	14:05:53
11	If the case is over and you lose,	14:05:55
12	would you choose a different phone or not?	14:05:57
13	MR. LEE: Asked and answered.	14:06:02
14	THE WITNESS: I don't -- I don't --	14:06:02
15	again, I don't know. I would figure out	14:06:02
16	something.	14:06:05
17	BY MS. ARAKAKI:	14:06:05
18	Q. When you say "figure out something,"	14:06:05
19	what do you mean?	14:06:07
20	A. I have to figure out what I would	14:06:08
21	need to do, how -- what -- what -- what options	14:06:11
22	I would have. I don't know what options I have	14:06:12
23	right now because we haven't gotten to that	14:06:13
24	point.	14:06:16
25	Q. Did you look into your options that	14:06:16

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1 you might have for other phones before purchasing 14:06:18
2 your current phone? 14:06:23
3 A. Before purchasing my current phone? 14:06:27
4 When I was shopping, yeah. But, again, 14:06:30
5 there's certain -- when I -- when -- when -- when 14:06:32
6 I chose to have my phone, if I -- if I do -- if 14:06:37
7 I go to a different -- a -- you know, let's say 14:06:43
8 to a flip phone, how -- how -- how are we going 14:06:45
9 to go ahead and continue this investigation when 14:06:49
10 I don't even have the phone anymore. 14:06:51
11 Then you'll be asking me the question, 14:06:53
12 you know, you don't even have the -- the phone 14:06:54
13 anymore. So, you know, why are we investigating 14:06:56
14 this? And, you know, I don't know if you would 14:06:58
15 ask that. But I'm just assuming. 14:07:00
16 But in order for this to continue and 14:07:02
17 to make sure that what you are doing is -- is 14:07:07
18 exactly what you're doing, I need to make sure 14:07:16
19 that I have the same exact settings and the same 14:07:18
20 apps on my phone to make sure and to just continue 14:07:23
21 on. 14:07:26
22 And yes, you know, it's a little creepy 14:07:26
23 that you guys are still doing it. But, you know, 14:07:29
24 that's why we're doing this, so hopefully you 14:07:31
25 stop it and then -- and hopefully you can fix 14:07:31

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1 that button. 14:07:35

2 Q. Apart from what your lawyers have 14:07:36

3 told you, why do you think it's important 14:07:39

4 that you continue doing the same thing for 14:07:41

5 your investigation? What do you think you're 14:07:43

6 going to learn? 14:07:46

7 Can you spell it out? 14:07:47

8 MR. LEE: Asked and answered. 14:07:50

9 THE WITNESS: Again, it's -- it's -- 14:07:51

10 it's the same thing. We're -- we're -- we're 14:07:51

11 here to figure out what the situation is. It's 14:07:56

12 not just me. Obviously it's a class. And it's 14:07:58

13 very important for me to continue on and -- and 14:08:00

14 to kind of give that -- give my behaviors, make 14:08:03

15 sure it's the same. Because there's -- obviously 14:08:06

16 there will be a different situation if I didn't 14:08:08

17 have the same phone. It would be a flip phone. 14:08:11

18 We would be talking about something -- something 14:08:13

19 different. 14:08:14

20 I want to make sure that, when we're 14:08:14

21 investigating this, that the answers are going 14:08:17

22 to be there, because I have the same information 14:08:20

23 on my phone and because I have the same apps, 14:08:22

24 because I have an Android phone, and to continue 14:08:24

25 on. 14:08:27

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1 Because if you are doing it, if you 14:08:27

2 are stealing information, it will be in that 14:08:29

3 device and we can continue on. And if so, then -- 14:08:33

4 and if we win, which I think we're going to win, 14:08:36

5 then you would need to fix that. You would need 14:08:40

6 to fix the -- the -- the -- the button and -- 14:08:43

7 and -- and end this when it comes down to it. 14:08:45

8 BY MS. ARAKAKI: 14:08:51

9 Q. So I'll try -- so I'll try that again 14:08:51

10 in a different way. 14:08:52

11 Can you tell me one fact you think you 14:08:52

12 will learn from this investigation by continuing 14:08:55

13 to use an Android? 14:08:58

14 MR. LEE: Asked and answered. He's 14:09:03

15 given you multiple facts. 14:09:04

16 THE WITNESS: So you're -- ask -- ask 14:09:09

17 that question again. 14:09:12

18 BY MS. ARAKAKI: 14:09:13

19 Q. Can you tell me one fact you think you 14:09:13

20 will learn from this investigation by continuing 14:09:16

21 to use your Android phone? 14:09:19

22 MR. LEE: Same objection. 14:09:21

23 THE WITNESS: Yeah. So, you know, 14:09:23

24 again, it's -- as far as one fact, there isn't 14:09:25

25 one fact. There's many different factors here. 14:09:29

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1 BY MS. ARAKAKI: 14:10:36

2 Q. What -- 14:10:36

3 MR. LEE: -- harassing the witness, 14:10:36

4 please? Like, why don't you cool down your 14:10:37

5 tone and -- 14:10:40

6 THE WITNESS: Because I'm -- 14:10:41

7 MR. LEE: -- ask -- 14:10:41

8 THE WITNESS: -- I'm just moving -- 14:10:41

9 MR. LEE: Hold on. 14:10:41

10 THE WITNESS: -- papers around -- 14:10:42

11 MR. LEE: Hold on. Hold on. 14:10:42

12 -- and -- and ask normal questions. 14:10:43

13 Okay? He already told you he's not reading 14:10:44

14 anything. I'm sitting across from him. He's 14:10:47

15 not reading anything. 14:10:49

16 So you're -- you're asking him what 14:10:50

17 a fact is. I think he did his best to answer 14:10:52

18 that ridiculous question. Move on and ask 14:10:55

19 another question. 14:10:58

20 BY MS. ARAKAKI: 14:10:58

21 Q. So let me try that again. 14:10:59

22 What is one fact do you think you'll 14:11:02

23 learn from this investigation based on continuing 14:11:04

24 to use an Android phone? 14:11:07

25 MR. LEE: Asked and answered. 14:11:11

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1 BY MS. ARAKAKI: 14:11:11

2 Q. That you couldn't -- that you couldn't 14:11:11

3 learn if you changed phones? 14:11:12

4 A. Well, you -- we wouldn't be able to 14:11:19

5 understand how you're gathering information 14:11:21

6 with my -- like, with -- with information that 14:11:25

7 I have on my phone, like the apps that I have. 14:11:26

8 With a flip phone, you don't have apps. So 14:11:28

9 there's no way for my -- my team to gather 14:11:31

10 information on a flip phone that I have. 14:11:36

11 If I keep the same phone, we continue 14:11:38

12 on with this search of the truth, then we can 14:11:42

13 figure out what's going on. You know, it -- 14:11:48

14 I mean, we're -- we're just getting to the -- 14:11:50

15 the -- the nitty-gritty here. 14:11:53

16 Why would I change phones and just 14:11:56

17 kind of, like, let it be and just pause -- 14:11:57

18 pause it? Or I get the flip phone? 14:11:58

19 Whereas, we can't continue on to -- 14:12:01

20 to -- to continue with my phone that I have 14:12:03

21 now and make sure that, if there is anything 14:12:09

22 funky going on, we can probably catch it and 14:12:14

23 continue on. So I'm -- that's exactly what 14:12:15

24 I'm doing. I'm just going to keep the same 14:12:17

25 information that I have on my phone, same apps, 14:12:20

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1 And, you know, as -- as far as apps -- 19:50:43

2 going back to your question with apps, what apps 19:50:46

3 are associated, I don't know offhand what they 19:50:49

4 are. 19:50:53

5 Q. So earlier you testified that you have 19:50:55

6 a hard time sleeping knowing what Google might 19:50:58

7 be doing with data when WAA is off. 19:51:01

8 Why didn't you create a Yahoo account 19:51:05

9 for your two sons instead of a Gmail account? 19:51:09

10 A. Well -- well, if -- my son -- well, 19:51:15

11 first of all, my son, he -- he -- I didn't 19:51:16

12 create that. That's why you don't see it -- 19:51:18

13 like, my information on there. Because, in 19:51:21

14 fact, it -- that e-mail was not created on 19:51:24

15 12/31/11. So I don't know what -- how -- how 19:51:26

16 you got that information. It's weird. My -- 19:51:30

17 my son was one year's old. And he's the one 19:51:33

18 that created that. 19:51:36

19 Did I know he did it offhand? I -- 19:51:37

20 I -- you know, I -- I -- that's -- I -- I talked 19:51:44

21 to him about that. We went over the rules. Those 19:51:44

22 are -- you know, we came up with rules. But as 19:51:47

23 far as why didn't I get -- do a -- a Yahoo account, 19:51:52

24 it's because I can put my -- if -- if he has -- 19:51:55

25 if he created it, I'm just going to say: Okay, 19:51:58

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1 you created that. Now, you know what? Give me 19:52:01
2 the e-mail so I can put it on my phone so I can 19:52:02
3 see your e-mail. 19:52:05

4 With my other -- with the other e-mails, 19:52:06
5 again, I want -- I wanted it to link to my -- my 19:52:07
6 account. When I say "linked," I mean a way for 19:52:12
7 me to toggle through the different e-mails and 19:52:16
8 also get notifications that, if an e-mail comes 19:52:20
9 up with any of my kids' school or any purchases, 19:52:23
10 they pop up. And that's why I use Gmail. 19:52:28

11 Again, if -- if -- us -- when my 19:52:33
12 regular account was switched off, adding another 19:52:37
13 e-mail, it -- it -- there's this thing where it 19:52:42
14 automatically goes into WAA on. And I wish that -- 19:52:46
15 that didn't happen, where I had to go back and 19:52:49
16 double-check and make sure and make -- you know, 19:52:52
17 turn it off. That's the case. 19:52:55

18 There's -- you know, why I didn't do 19:53:00
19 a Yahoo account? I figure that it's easier to 19:53:02
20 do a Gmail. And I'm the one that's actually 19:53:07
21 looking at any information that's being sent 19:53:11
22 to that e-mail, with -- with the exception to 19:53:16
23 the "awesomenb." [sic] 19:53:18

24 Q. Is there a reason you didn't want to 19:53:22
25 take the harder route of creating a Yahoo account 19:53:24

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1 while you investigated your claims against Google? 19:53:25

2 A. Because I already have my account already 19:53:30

3 here. I already have my account on Google, my -- 19:53:34

4 my -- my -- my Google account on my device. And, 19:53:39

5 again, it's easier to just go to Google and press 19:53:43

6 "Add an account," create the e-mail really quick, 19:53:47

7 get your password and such, and then have it in 19:53:51

8 my dashboard to pick. But they don't have access 19:53:55

9 to those e-mails that I created on my phone. 19:54:01

10 MR. LEE: Hey, guys. 19:54:05

11 MS. ARAKAKI: I -- 19:54:05

12 MR. LEE: We're going to need to take 19:54:05

13 a break because our -- our food's here and we 19:54:07

14 gotta go downstairs to get it. So I can't leave 19:54:11

15 the guy waiting. Can we take a -- a ten-minute 19:54:11

16 short break while we can do that? And we'll 19:54:14

17 come back up. I think we can just -- we just 19:54:17

18 got munchables. So we're not going to take any 19:54:20

19 time for dinner. But I do need to grab the food 19:54:23

20 before the guy -- delivery guy leaves. 19:54:25

21 MS. ARAKAKI: Okay. I'm not going to 19:54:28

22 agree to go off the record just yet. But I am 19:54:29

23 almost done. And then we can go off the record. 19:54:30

24 MR. LEE: Actually -- 19:54:34

25 MS. ARAKAKI: I'm going to ask my next -- 19:54:34

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1 BY MS. ARAKAKI: 20:08:30

2 Q. Apart from making sure WAA is off, 20:08:31

3 did you change your behavior in the way you 20:08:33

4 interacted with any of the apps after and as 20:08:36

5 a result of the allegations in your July 2020 20:08:39

6 Complaint? 20:08:42

7 MR. LEE: Asked and answered. 20:08:44

8 THE WITNESS: No. The -- it -- it's -- 20:08:44

9 I continue on with the WAA off and same behaviors. 20:08:46

10 I mean, it's -- what I changed was the -- the -- 20:08:52

11 the WAA, making sure it's off, making sure all 20:08:55

12 my e-mails -- because I didn't know that they 20:08:58

13 were on and then make sure they're off. But 20:09:00

14 once I could -- once I did that, I continued 20:09:03

15 on. 20:09:06

16 BY MS. ARAKAKI: 20:09:10

17 Q. Based on and as a result of the 20:09:10

18 allegations you believe to be true in your 20:09:12

19 initial Complaint that was filed on July 20:09:15

20 2020, did you direct Nathan to change any 20:09:17

21 of his behavior with respect to the apps 20:09:21

22 on his Samsung phone? 20:09:23

23 A. Did I direct him to do -- to -- 20:09:27

24 to change any -- anything on his phone? I 20:09:29

25 believe so. That was definitely something 20:09:36

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1 Q. -- as a result -- 20:10:50

2 A. We're -- we're talking about apps 20:10:52

3 here and all my behaviors regarding those apps 20:10:55

4 and my son's behaviors regarding those apps. 20:11:02

5 Specific ones, I -- I -- I don't -- 20:11:06

6 I -- I don't know what -- how am I going to 20:11:08

7 know which specific ones to look out for? 20:11:11

8 Q. So I'm not asking about any specific 20:11:18

9 app or any specific thing you should look out 20:11:20

10 for. 20:11:24

11 I'm asking: At any point after July 20:11:24

12 2020, as a result of the allegations in your 20:11:27

13 initial Complaint that you told me you believe 20:11:31

14 to be true, did you ask Nathan to change his 20:11:34

15 behavior with respect to his apps, whether 20:11:39

16 that would be to delete or otherwise use apps 20:11:41

17 differently? 20:11:45

18 A. As far as apps goes, I didn't tell 20:11:50

19 him to -- to change his behaviors on how to 20:11:52

20 use the apps that he normally uses. 20:11:54

21 Q. Have you allowed Nathan to install 20:12:04

22 new apps since July 2020? 20:12:08

23 A. Maybe. Yes. I mean, I don't know 20:12:11

24 which ones. 20:12:15

25 Q. Have you installed new apps since 20:12:21

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1	July 2020?	20:12:21
2	A. Yes.	20:12:22
3	Q. Before installing new apps after	20:12:23
4	July 2020, did you investigate whether those	20:12:26
5	apps use Google Analytics for Firebase?	20:12:29
6	A. No.	20:12:35
7	MS. ARAKAKI: Mr. Lee, did you want	20:12:50
8	to go off the record to eat the dinner that	20:12:51
9	you all had picked up?	20:12:54
10	MR. LEE: Well, I'm not eating at	20:13:00
11	this point. So --	20:13:01
12	THE WITNESS: I'm good.	20:13:03
13	MR. LEE: What's the time on the	20:13:04
14	record? Are you done? Lori, are you done?	20:13:05
15	MS. ARAKAKI: No. I have -- no. I	20:13:12
16	have a little more. But it was a good breaking	20:13:12
17	point. So --	20:13:16
18	MR. LEE: A good breaking point for	20:13:17
19	you now?	20:13:20
20	MS. ARAKAKI: -- I wanted to ask.	20:13:20
21	Yes. It was a good breaking point.	20:13:21
22	So I wanted --	20:13:23
23	MR. LEE: For who?	20:13:23
24	MS. ARAKAKI: -- to ask if you wanted	20:13:23
25	a break.	20:13:23

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1 Will you delete any apps that disclose 20:43:25
2 to you that they are sending your data to Google? 20:43:28
3 A. Is WAA on or off? 20:43:35
4 Q. You allege that -- I'll repeat the 20:43:39
5 question. 20:43:41
6 Mr. Rodriguez, you allege that, even 20:43:42
7 with WAA off, third-party apps will use Firebase 20:43:44
8 to send Google data about you. 20:43:48
9 Will you delete any apps that disclose 20:43:51
10 to you that they are sending your data to Google? 20:43:54
11 MR. LEE: Objection. Vague. 20:44:05
12 THE WITNESS: Well, I won't change 20:44:06
13 anything right now since we're still in this 20:44:08
14 lawsuit. And what I'm hoping for is, if it 20:44:12
15 turns out that Google is doing exactly what 20:44:19
16 we think they're doing, which is taking our 20:44:23
17 data and using it without our consent, what 20:44:29
18 I'm hoping for is that Google will fix the 20:44:32
19 issue, make the button work and -- where I 20:44:37
20 don't have to -- I shouldn't have to delete 20:44:44
21 apps that use Firebase because Google has it 20:44:52
22 in there and it shares information with Google. 20:44:56
23 I shouldn't have to feel that way. 20:44:59
24 I shouldn't have to delete it because, you know 20:45:02
25 what, Google is stealing my -- I'm not doing it 20:45:04

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1 now because we're in -- doing this investigation. 20:45:07

2 But if it turns out that you are, I 20:45:10

3 expect all that to change. And that way I don't 20:45:13

4 have to delete it. If you're -- if -- if Google 20:45:17

5 is found on be doing it -- or not doing it, then 20:45:22

6 if that's proved, that Google's not doing it, 20:45:28

7 then it wouldn't be an issue either. 20:45:32

8 I shouldn't have to delete my apps 20:45:33

9 either way, whether it's Google is taking my 20:45:36

10 information without my consent or Google wasn't 20:45:40

11 doing it and I was crazy or something like that. 20:45:42

12 Then either way, I shouldn't have to delete my -- 20:45:45

13 my apps. I won't be doing it now because I want 20:45:48

14 to make sure that everything's the same on my 20:45:52

15 phone. 20:45:55

16 BY MS. ARAKAKI: 20:45:55

17 Q. Are you testifying that you're willing 20:45:55

18 submitting to privacy violations while this 20:46:00

19 case is pending? 20:46:03

20 A. I don't -- I don't understand what 20:46:05

21 you mean. 20:46:07

22 MR. LEE: Asked and answered. 20:46:08

23 BY MS. ARAKAKI: 20:46:09

24 Q. You're saying that you won't change 20:46:09

25 your behavior -- correct? -- with respect to 20:46:11

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1 the way you use apps? 20:46:13

2 A. I won't change it right now because 20:46:15

3 we're in -- under an investigation and I'm not 20:46:18

4 going to change my behaviors on my phone due 20:46:20

5 to that. 20:46:21

6 Q. Why do you believe you can't change 20:46:23

7 your behavior? 20:46:27

8 MR. LEE: Asked and answered, I think, 20:46:29

9 ten times. 20:46:29

10 THE WITNESS: I -- I -- because I'm 20:46:30

11 not -- why would I do that if -- if we're doing 20:46:30

12 an investigation right now? 20:46:34

13 I mean, if -- if you're doing something 20:46:36

14 and you're telling me, well, you know, don't do 20:46:38

15 it anymore and I can't -- we can't catch you doing 20:46:41

16 it, if you want me to stop doing that because it's 20:46:45

17 going to limit what information is given to catch 20:46:48

18 somebody doing it, that's the wrong thing. I'm 20:46:54

19 not going to do that. 20:46:56

20 If you're doing something wrong, I want 20:46:56

21 to make sure that everything is exactly as they -- 20:46:58

22 as it was when it was happening to make sure that 20:47:00

23 if -- the -- if -- if we're investigating, that 20:47:04

24 everything is still the same. It -- it's -- I 20:47:07

25 can't change anything. I need to make sure that 20:47:09

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1 my attorneys, the professionals that are working 20:47:12
2 on this case as well have all the same information 20:47:17
3 they had previously to make sure that things are 20:47:21
4 not looking funky. 20:47:24
5 BY MS. ARAKAKI: 20:47:26
6 Q. Mr. Rodriguez, if this case concludes 20:47:26
7 and Google changes nothing about the way the 20:47:26
8 Web & App Activity toggle functions and you 20:47:30
9 are told by third-party apps that they will 20:47:33
10 use GA for Firebase to send Google data about 20:47:36
11 you, will you delete any of those third-party 20:47:39
12 apps that disclose they're using Firebase to 20:47:44
13 send your data to Google? 20:47:49
14 A. Well, you're -- if you're saying that, 20:47:51
15 if you fix the button and you say that we fixed 20:47:52
16 the button, it's going to do exactly what we say 20:47:57
17 it's going to do, and you're not going to collect 20:48:01
18 that data from those same apps and everything is 20:48:06
19 working, it's -- let's say -- let's say you are -- 20:48:08
20 let's say, in this -- in this fake world, that 20:48:12
21 Google -- throughout this whole process, Google 20:48:20
22 was not doing that, not at all. Or if you're 20:48:23
23 caught doing it, that you did do it and you 20:48:28
24 don't fix it, I'm not -- I'm -- I -- I -- if -- 20:48:33
25 if -- this has to be fixed. 20:48:36

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CERTIFICATE OF REPORTER

I, BRENDA MATZOV, CSR NO. 9243, do hereby
certify:

That, prior to being examined, the witness
named in the foregoing deposition was remotely duly
sworn by me to testify the truth, the whole truth,
and nothing but the truth;

That the foregoing deposition was taken
remotely before me, at which time the aforesaid
proceedings were stenographically recorded by me
and thereafter transcribed by me;

That the foregoing transcript, as typed,
is a true record of the said proceedings;

And I further certify that I am not
interested in the action.

Dated this 28th day of October, 2022.

A handwritten signature in blue ink that reads "Brenda Matzov". The signature is written in a cursive style and is positioned above a horizontal line.

BRENDA MATZOV, CSR NO. 9243